

Lyon & Lyon LLP
Docket Information
230/026

DECLARATION Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **AORTIC OCCLUDER WITH ASSOCIATED FILTER AND METHODS OF USE DURING CARDIAC SURGERY** the specification of which

(Check One)

☐
☒

is attached hereto OR
was filed on January 30, 1998 as United States Application Serial No.
09/016,714 or
PCT International Application No.
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
08/854,806		May 12, 1997	Pending
08/645,762		May 14, 1996	Abandoned

Docket 230/028

Send Correspondence to: John Kappos		LYON & LYON LLP 833 W Fifth St., Suite 4700 Los Angeles, CA 90071		Direct Telephone calls to: (714) 751-6606 or (213) 489-1600	
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201	FULL NAME OF INVENTOR	FIRST Name Denise	MIDDLE Initial	LAST Name Barbut	
	RESIDENCE & CITIZENSHIP	City New York	State or Foreign Country New York	Country of Citizenship United Kingdom	
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202	FULL NAME OF INVENTOR	FIRST Name Jonathan	MIDDLE Initial D.	LAST Name Root	
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203	FULL NAME OF INVENTOR	FIRST Name Giovanni	MIDDLE Initial	LAST Name Pastrone	
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204	FULL NAME OF INVENTOR	FIRST Name Tracy	MIDDLE Initial D.	LAST Name Maahs	
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205	FULL NAME OF INVENTOR	FIRST Name Ross	MIDDLE Initial S.	LAST Name Tsugita	
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	POST OFFICE ADDRESS	1653 Gretel Lane	City Mountain View	State or Country CA	Zip Code 94040

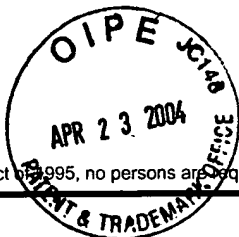
206	FULL NAME OF INVENTOR	FIRST Name - N/A -	MIDDLE Initial	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor	201
Date	9/16/98
Signature of Inventor	202
Date	9/24/98
Signature of Inventor	203
Date	9/28/98

Signature of Inventor	204
Date	9-22-98
Signature of Inventor	205
Date	9/22/98
Signature of Inventor	206
Date	

(Signatures should conform to names as presented at 201 et seq. above.)



PTO/SB/81 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY and
CORRESPONDENCE
ADDRESS INDICATION FORM**

Application Number	10/619,760
Filing Date	July 14, 2003
First Named Inventor	Barbut et al.
Art Unit	3763
Examiner Name	Unknown
Attorney Docket Number	RMI-5708CIPCON5

I hereby appoint:

- ☒ Practitioners at Customer Number
OR
☐ Practitioner(s) named below:

30452

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

- ☐ The above-mentioned Customer Number.
OR

- ☐ The address associated with Customer Number:
OR

<input checked="" type="checkbox"/> Firm or Individual Name	John Christopher James				
Address	Edwards Lifesciences LLC				
Address	One Edwards Way, Legal Department				
City	Irvine	State	CA	Zip	92614
Country	USA				
Telephone	949 250-6878	Fax	949 250-6850		

I am the:

- ☐ Applicant/Inventor.
☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

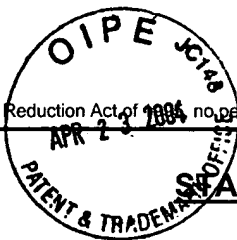
Name	Jay P. Wertheim, Vice President, Associate General Counsel & Assistant Corporate Secretary		
Signature			
Date	April 19, 2004	Telephone	949 250-6815

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple

☒ *Total of 3 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Edwards Lifesciences CorporationApplication No./Patent No.: 10/619,760Filed/Issue Date: July 14, 2003Entitled: AORTIC OCCLUDER WITH ASSOCIATED FILTER AND METHODS OF USE DURING CARDIAC SURGERYEdwards Lifesciences Corporation, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013998, Frame 0632, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

April 19, 2004
Date

949 250-6815
Telephone number

Jay P. Wertheim
Typed or printed name
[Signature]
Signature
Vice President, Associate General Counsel &
Assistant Corporate Secretary
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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